



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.18194 of 2023
and Crl.O.P.No.12065 of 2023

B.Naveen Kumar

.. Petitioner

Vs.

1.Ashwini

2.N.Krishvi (Minor)

D/o.B.Naveen Kumar

Rep. by her mother and Natural Guardian

Mrs.Ashwini

..Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to withdraw and transfer the case in MC. No.164 of 2023 on the file of the I Additional Family Court, Chennai to Judicial Magistrate, Arani.

For Petitioner

: Mr.M.I.Javid Akbar



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ORDER

This petition has been filed for a transfer of the case pending in M.C. No.164 of 2023 on the file of the 1st Additional Family Court, Chennai to the learned Judicial Magistrate, Arani.

2.This Court has carefully considered the submissions made by the learned counsel for the petitioner and the materials available on record.

3.The main ground on which the petitioner has sought for transfer is that he is now employed at Bangalore and every time he has to travel more than 500 to 600 Kms to attend the hearing. Therefore, the petitioner is seeking for transfer the case to the learned Judicial Magistrate, Arani.

4.In the considered view of this Court, the respondent and the child are living at Chennai and therefore, there is no question of transferring this case out of Chennai. In order to strike a balance, the Court below can permit the petitioner to be represented through a counsel and if during any hearing, the presence of the



petitioner is required, the Court below shall direct the petitioner to appear and at that point of time, the petitioner will appear before the Court below.

5.This criminal original petition is disposed of with the above direction.

Consequently, connected miscellaneous petition is closed.

10.08.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
ssr

To

- 1.The I Additional Family Court, Chennai
- 2.The Judicial Magistrate, Arani.
- 3.The Public Prosecutor
High Court of Madras, Madras.



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N.ANAND VENKATESH, J

SSR

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